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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
Sherman et al. ) Before the Examiner  
Serial No. 10/690,451 ) James L. Swiger III  
Filed October 21, 2003 ) Group Art Unit 3733  
DYNAMIZABLE ORTHOPEDIC )  
IMPLANTS AND THEIR USE IN ) January 11, 2007  
TREATING BONE DEFECTS )

RESPONSE TO NON-FINAL OFFICE ACTION

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated August 11, 2006, Applicants respectfully request consideration of the accompanying remarks.

Fees sufficient for examination of 3 independent claims and 46 total claims have been remitted for this application. Following entry of this amendment, 3 independent claims and 53 total claims will be pending. Accordingly, fees in the amount of \$350 for examination of seven additional total claims are being filed herewith. In addition, a request for a two-month extension of time is being filed herewith, along with the required fee. Please charge any additional fees that may be due, or credit any overpayment, to Deposit Account No. 23-3030, not including any issue fees that are or may become due.

01/12/2007 TL0111 00000068 10690451  
02 FC:1202 350.00 OP

RESPONSE TO OFFICE ACTION  
Application Serial No.: 10/690,451  
Attr. Docket No. 4002-3274  
Pg. 1 of 19

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11 January 2007

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